

# United States District Court

EASTERN

DISTRICT OF

NEW YORK

DEPARTMENT OF AMAZONAS, DEPARTMENT OF ANTIOQUIA, DEPARTMENT OF ATLANTICO, DEPARTMENT OF BOLIVAR, DEPARTMENT OF BOYACA, DEPARTMENT OF CAQUETA, DEPARTMENT OF CASANARE, DEPARTMENT OF CESAR, DEPARTMENT OF CHOCO, DEPARTMENT OF CORDOBA, DEPARTMENT OF CUNDINAMARCA, DEPARTMENT OF HUILA, DEPARTMENT OF LA GUAJIRA, DEPARTMENT OF MAGDALENA, DEPARTMENT OF META, DEPARTMENT OF NARINO, DEPARTMENT OF NORTE DE SANTANDER, DEPARTMENT OF PUTUMAYO, DEPARTMENT OF QUINDIO, DEPARTMENT OF RISARALDA, DEPARTMENT OF SANTANDER, DEPARTMENT OF SUCRE, DEPARTMENT OF TOLIMA, DEPARTMENT OF VALLE DEL CAUCA, DEPARTMENT OF VAUPES, and SANTA FE DE BOGOTA, CAPITAL DISTRICT,

AMENDED

## SUMMONS IN A CIVIL CASE

CASE NUMBER: 00 CV 2881 (EHN)

Case assigned to:

Judge Eugene H. Nickerson  
Mag. J. Viktor V. Pohorelsky

Plaintiffs,

V.

PHILIP MORRIS COMPANIES, INC., PHILIP MORRIS INCORPORATED d/b/a PHILIP MORRIS, U.S.A., PHILIP MORRIS INTERNATIONAL, INC., PHILIP MORRIS PRODUCTS, INC., PHILIP MORRIS LATIN AMERICA SALES CORPORATION, PHILIP MORRIS DUTY FREE, INC., BRITISH AMERICAN TOBACCO (1998) LTD., B.A.T. INDUSTRIES P.L.C., BROWN & WILLIAMSON TOBACCO CORPORATION, BATUS TOBACCO SERVICES, INC., and BRITISH AMERICAN TOBACCO (SOUTH AMERICA) LTD.,

Defendants.

TO: BROWN & WILLIAMSON TOBACCO CORPORATION  
c/o CT Corporation System  
111 Eighth Avenue  
New York, New York 10011

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFFS' ATTORNEY,

John J. Halloran, Jr., Frank H. Granito, III, Frank H. Granito, Jr.,  
Kenneth P. Nolan, SPEISER, KRAUSE, NOLAN & GRANITO, 140 East 45th Street,  
New York, New York 10017; (212) 661-0011

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

ROBERT C. HEINEMANN

CLERK

*Kimberly Davis*  
(BY) DEPUTY CLERK

DATE

SEP 19 2000

## RETURN OF SERVICE

Service of the Summons and Complaint was made by me<sup>1</sup>

DATE 9/21/00

NAME OF SERVER (PRINT)

Thomas A. Frizzell

TITLE

Attorney

Check one box below to indicate appropriate method of service

☒ Served personally upon the defendant. Place where served: CT Corporation System  
111 8th Ave. New York, NY

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: \_\_\_\_\_

☐ Returned unexecuted: \_\_\_\_\_

☐ Other (specify): \_\_\_\_\_

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

Date

9/21/00

Signature of Server

Address of Server

Spencer Krause Nolan & Granito  
140 E. 45th St.  
New York, NY 10017  
(212) 661-0011

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.